

Chairman: Jay Stewart

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

## Policy Resolution Tier 1

WHEREAS SB 51 was enacted to improve the effectiveness, transparency, and ethical functioning of the Illinois procurement system and is being implemented throughout state government; and

WHEREAS part of the intent of this reform was to limit and minimize exceptions to the normal procurement processes that insure an efficient procurement system; and

WHEREAS during this implementation certain needs for further improvement to carry out the full intent of the reform are becoming apparent;

NOW, THEREFORE be it resolved by the Procurement Policy Board that it recommends the following actions and statutory changes are implemented to further the improvement of the state's procurement system:

1. Draft further statutory changes to clarify the Board's review of proposed procurement rules, including but not limited to the requirement agency personnel appear before the Board to discuss any proposed rules.

*Possible Legislative draft: 30 ILCS 500/5-25 (c) Response*

*Sec. 5-25 Rulemaking Authority; agency policy; agency response.*

*(c) Response. Each State agency must respond promptly in writing to all inquiries and comments of the Procurement Policy Board or executive Procurement Officer, and shall if requested appear before the Board at a regularly scheduled meeting of the Board to address any questions or concerns of the Board.*

2. Complete a study under the direction of the Procurement Policy Board of the cost of procurement inefficiencies and develop follow-up plans for investment to reduce these costs.

*Possible Legislative Draft: 30 ILCS 500/5-5 (j) (New Section)*

*(New) 5-5 (j) Procurement Efficiency Study. Starting July 1, 2014 at the conclusion of FY 14 and every three years after that date the Procurement Policy Board will solicit and work in consultation with an outside vendor to review current procurement law and statewide practices to review any process inefficiencies. The Board will provide a copy of the report as well as the Board's recommendations to correct found inefficiencies to the Office of the Governor and the General Assembly no later than June 30th following the solicitation of the study. Each chief procurement officer, State purchasing officer, procurement compliance monitor, and State agency shall cooperate with the Board, provide information to the Board, and be responsive to the Board in the Board's conduct of its review.*



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3. Draft Statutory changes to ensure all agencies evaluate available space within the CMS leasing portfolio prior to engaging in an outside Leasing agreement.

*Possible Legislative draft: Sec. 40-5. Applicability. All leases for real property or capital improvements, including office and storage space, buildings, and other facilities for State agencies, shall be procured in accordance with the provisions of this Article. All State agencies shall, in consultation with the Department of Central Management Services, evaluate the State's existing lease portfolio prior to engaging in a procurement for real property or capital improvements.*

4. Strengthen the necessary provisions that provide guidance to Specifications, specifically Section 20-50 of the Illinois Procurement Code.

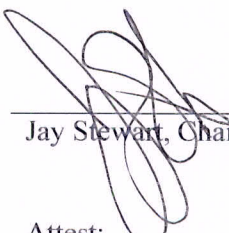
*Possible Legislative draft: Prohibited conduct includes requested payments or other consideration to a third party by the University or State Agency that is not part of the solicitation, or even if it is part of the solicitation, said payment is unrelated to the subject matter or purpose of the solicitation. In order to not be a Barred Payment under this section, the payment from the vendor must be supported by additional consideration (such as exclusive rights to sell items or rights to advertise) other than the consideration of the State's awarding a contract to purchase of goods and services.*

5. Clarify statutory provision concerning Illinois Community Colleges architect and engineer selections.

*Possible Legislative Draft: Language could be very similar to the language currently in SB2363*

Ayes 4

Nays 0

  
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Jay Stewart, Chairman

Attest:

  
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Aaron Carter, Executive Director